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Attorneys for Defendant

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

JENNIFER PATRICIA STATON,
Plaintiff,

v.

KILOLO KIJAKAZI,
Acting Commissioner of Social Security,

Defendant.

Case No.: 2:20-cv-1940-DJA

**UNOPPOSED MOTION FOR
EXTENSION OF TIME
(FIRST REQUEST)**

Defendant, the Commissioner of Social Security (the “Commissioner”), through the undersigned counsel, hereby requests an extension of time to file his Cross-Motion to Affirm and Response to Plaintiff’s Motion for Reversal and/or Remand in this case. In support of this request, the Commissioner respectfully states as follows:

1. Primary responsibility for handling this case has been delegated to the Office of the Regional Chief Counsel, Region IX, in San Francisco, California (the “Region IX Office”).

2. Defendant’s response to Plaintiff’s opening brief is currently due August 25, 2021. Defendant has not previously requested an extension of time for this deadline.

1 3. The Region IX Office currently handles all district and circuit court litigation involving
2 the Social Security program arising in Arizona, California, Hawai'i, Nevada, and Guam.

3 4. The Region IX Office employs 47 staff attorneys, of whom 27 handle civil litigation
4 involving the Social Security program in the seven assigned jurisdictions, at least part-time. Between
5 July 15, 2021 and August 14, 2021, the Region IX Office has 247 district court briefs due in the
6 jurisdictions it handles. In addition, the Region IX Office has five appellate cases requiring briefing
7 before the Ninth Circuit Court of Appeals during that period.

8 5. In addition to this "program" litigation, the 27 staff attorneys in the Region IX Office
9 maintain other workload responsibilities, with most of them dedicating 40 percent or more of their
10 time to these workloads. The Region IX Office provides a full range of legal services as counsel for
11 the Social Security Administration, in a region that covers four states (including the most populous
12 state in the nation) and three territories. These other workloads include employment litigation; civil
13 rights investigations; bankruptcy matters; and requests for legal advice on wide-ranging topics,
14 including employee conduct and performance, reasonable accommodation, hostile work environment,
15 ethics, Privacy Act and disclosure, torts, property, and contracts.

16 6. The undersigned attorney has 14 briefs due in district court cases over the next month,
17 in addition to managing Region IX's opinion and legal advice workload, which currently has over 20
18 pending requests for formal advice and opinions on other areas of program law.

19 7. Due to the volume of the overall workload within the Region IX Office, neither the
20 undersigned attorney nor another attorney in the Region IX Office anticipate being able to complete
21 briefing by the current due date of August 25, 2021. Therefore, Defendant seeks an extension of 30
22 days, until September 24, 2021, to respond to Plaintiff's motion.

23 8. This request is made in good faith and is not intended to delay the proceedings in this
24 matter.

25 9. On August 24, 2021, counsel for Defendant conferred with Plaintiff's counsel, who has
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1 no opposition to this motion.

2 WHEREFORE, Defendant requests until September 24, 2021, to respond to Plaintiff's Motion
3 for Reversal and/or Remand.

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5 Dated: August 25, 2021

Respectfully submitted,

6 CHRISTOPHER CHIOU
Acting United States Attorney

7 /s/ Sathya Oum
8 SATHYA OUM
Special Assistant United States Attorney
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12 IT IS SO ORDERED:

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14 UNITED STATES MAGISTRATE JUDGE

15 DATED: August 26, 2021
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CERTIFICATE OF SERVICE

I, the undersigned, am a citizen of the United States and am at least eighteen years of age. My business address is 160 Spear Street, Suite 800, San Francisco, California 94105. I am not a party to the above-entitled action. On the date set forth below, I caused service of **UNOPPOSED MOTION FOR EXTENSION OF TIME (*FIRST REQUEST*)** on the following parties by electronically filing the foregoing with the Clerk of the District Court using its ECF System, which provides electronic notice of the filing:

Daniel Jones
fedcourt@binderlawfirm.com
Attorney for Plaintiff

Dated: August 25, 2021

/s/ Sathya Oum
SATHYA OUM
Special Assistant United States Attorney